

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	CASE NO. 1:12CR440
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
vs.	)	
	)	ORDER
MICHAEL LEE MULLINS,	)	
	)	
DEFENDANT.	)	

This matter is before the Court upon Magistrate Judge Kathleen B. Burke's Report and Recommendation that the Court ACCEPT Defendant Michael Lee Mullins' ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Doc. No. 15.)

On September 18, 2012, the government filed an Indictment against Defendant. (Doc. No. 1.) On October 5, 2012, this Court issued an order assigning this case to Magistrate Judge Burke for the purpose of receiving Defendant's guilty plea. (Doc. No. 13.)

On October 16, 2012, a hearing was held in which Defendant entered a plea of guilty to Count 1 of the Indictment, charging him with wrecking/disabling on-track equipment, in violation of 18 U.S.C. Section 1992(a)(1) and (b)(1). Magistrate Judge Burke received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 15.)

Neither party objected to the Magistrate Judge's R&R in the fourteen days

after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the Defendant's plea of guilty is APPROVED.

Therefore, the Defendant is adjudged guilty of Count 1 in violation of 18 U.S.C. Section 1992(a)(1) and (b)(1). The sentencing will be held on December 19, 2012 at 11:30 a.m.

**IT IS SO ORDERED.**

Dated: November 6, 2012

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**